

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

NAJIB Atty. Ref.: 3665-153; Confirmation No. 6402

Appl. No. 10/542,056 TC/A.U. 1611

Filed: July 12, 2005 Examiner: Kudla

**For: USE OF ACYLATED AMINOPROPANEDIOLS AND SULPHUR AND NITROGEN ANALOGUES OF SAME FOR DIFFERENT THERAPEUTIC APPLICATIONS**

\* \* \* \* \* \* \* \* \* \*

June 13, 2008

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

## RESPONSE

Responsive to the Official Action dated May 13, 2008, the applicants elect the subject matter of the Examiner's Group I, for further prosecution in the above.

Applicants further elect, for the purpose of initial examination, atherosclerosis as a single pathology and the compound of example 11 (1,3 -ditetradecylthioacetylaminooxy-2-(tetradecylthioacetyloxy)-propane) as a single species of compounds of formula (I).

Claims 19 and 21-34 are believed to read on the elected species.

The election of species is made with traverse as the Examiner has not demonstrated that the species would be classified “in different classification” which is the stated justification for requiring an election of species. See page 4 of the Office

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Action dated May 13, 2008. Clarification is requested in the event the election of species requirement is maintained.

Rejoinder and allowance of any claim defining a method of making and/or using a product defined by an allowable claim, at an appropriate time, are requested.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

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